

**PLATZER, SWERGOLD,  
GOLDBERG, KATZ & JASLOW, LLP**

*COUNSELORS AT LAW*

475 PARK AVENUE SOUTH  
18<sup>TH</sup> FLOOR  
NEW YORK, NEW YORK 10016  
TELEPHONE 212.593.3000  
FACSIMILE 212.593.0353

WWW.PLATZERLAW.COM  
NY DCL # 2035058

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#: \_\_\_\_\_  
DATE FILED: 10/7/2021

FOUR GREENTREE CENTRE  
601 ROUTE 73 NORTH  
SUITE 305  
MARLTON, NEW JERSEY 08053  
TELEPHONE 856.782.8644

☐ *If checked, reply to  
New Jersey Office*

October 5, 2021

Via ECF and email:

[ALCarterNYSDChambers@nysd.uscourts.gov](mailto:ALCarterNYSDChambers@nysd.uscourts.gov)

Hon. Andrew L. Carter, Jr.  
United States District Court  
40 Foley Square, Room 435  
New York, New York 10007

MEMO ENDORSED

Re: The D&M Capital Group, LLC (the “Debtor”)  
Case No. 21-cv-05001 (ALC)

Dear Judge Carter,

This firm represents Shanghai Pearls & Gems, Inc. d/b/a Ultimate Diamond Co., the appellant (“Appellant”) in the above-referenced bankruptcy appeal of an Order Approving a Settlement between Alan Nisselson, Chapter 7 Trustee of the bankruptcy estate of The D&M Capital Group, LLC (the “Trustee”) and Radwan Diamond & Jewellery Trading (“Radwan”).

By a Memo Endorsed Order dated July 22, 2021, Appellant’s Brief in this matter is currently due to be filed on or before October 14, 2021.

We are writing to request an approximate 30-day extension of the time to file Appellant’s Brief. We are aware that your Honor’s Individual Rules provide for submission of a Stipulation to reschedule dates by which briefs are due, however, counsel that was previously representing Radwan in the Debtor’s bankruptcy case has been given permission to withdraw as its counsel, and to our knowledge no successor counsel has appeared. Radwan is located in the United Arab Emirates and for the time being, the only form of communication with it is through U.S. Registered Mail. Thus, we cannot obtain a Stipulation by all involved parties.

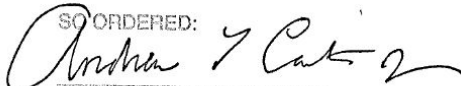
In addition, the Bankruptcy Court has directed that the Trustee, Appellant, Radwan, and other interested creditors in the Debtor’s on-going bankruptcy case all take part in a mediation in an attempt to arrive at a global settlement of the issues that are present in the bankruptcy case, including the issues raised by this appeal. That process is continuing, and Appellant believes efforts made toward resolution would be prudent in this matter.

Accordingly, it is respectfully requested that an approximate 30-day extension of time to Wednesday, November 17, 2021, to file Appellant's Brief, be granted. The Trustee has authorized Appellant to advise the Court of his consent to the extension. Appellant also respectfully requests that such an extension be without prejudice to requesting further extensions based on the progress of the mediation and other facts and circumstances relevant to potential settlement of the matter.

Appellant's request is hereby **GRANTED**. Appellant is hereby **ORDERED** to serve Radwan with the instant order and file proof of service no later than **October 12, 2021**. For any future request beyond November 17, 2021, parties shall file a joint status report updating the Court on the status of settlement negotiations.

Respectfully,

PLATZER, SWERGOLD,  
GOLDBERG, KATZ & JASLOW, LLP

SO ORDERED:  
  
HON. ANDREW L. CARTER, JR.  
UNITED STATES DISTRICT JUDGE

By: /s/ Andrew S. Muller  
Andrew S. Muller

Dated: 10/7/2021

cc: Les Barr, Esq., counsel for Trustee (via email)  
Radwan Diamond & Jewellery Trading (via U.S. Registered Mail)